

Application No.: 10/691140
Docket No.: FL0253USNA

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REMARKS

In the Office Action mailed on August 9, 2004 (hereinafter referred to as the "Office Action"), the disclosure was objected to because of various informalities. The Examiner noted that on page 1 at lines 34 and 36, both recitations of "(CF₂)_m" and "(CF₃)_q" in the formula are improper and suggested using "(CF₂)_m" and "(CF₃)_q". Applicants agree with the Examiner's suggestion and have corrected the specification with respect to this point. The Examiner also noted on page 4 that the recitation of "Toyo" may be wrong. This recitation is in fact correct, and Applicants have not changed this. The Examiner further noted that on page 6 in the Table, the equation " $C = A \times (1 - B/100)$ " may be improper. The Examiner suggested using " $C = A \times (1 - B/100)$ " with a space between the "-". Instead, Applicants have amended this equation to " $C = A \times (1 - (B/100))$ " to make it clear that only B is over 100.

Claims 1 - 4 were rejected under 35 U.S.C. §102(b) as being anticipated by Heffner et al. (USPG -PUB 2002/0061398 A1). By this Amendment, claim 1 has been amended to recite 35 - 55% by wt of polytetrafluoroethylene. Antecedent basis for this amendment can be found on page 3, line 12 of the specification.

In addition, by this amendment, Applicants have added new claim 6. This claim is directed to a container comprising the composition as originally recited in claim 1, before the amendment thereof as discussed above. This claim should further distinguish over Heffner, as Heffner is directed to fibers.

In addition, claims 1 - 4 were rejected under 35 U.S.C. §102(b) as being anticipated by, or in the alternative, under 35 U.S.C. §103(a) as obvious over Branca (US Patent No. 5,708,044). The Examiner asserts that Branca's blend of homopolymer PTFE and modified PTFE can be presumed to inherently possess the same properties as the blends of the present invention. By this Amendment, Applicants have amended claim 1 to recite that their composition is melt processible. In contrast, Branca's compositions are not melt processible. Column 2, lines 6 - 60 of Branca make it clear that neither the PTFE homopolymer nor the modified PTFE with which it is blended, is melt processible. Support for this amendment can be found on page 1, lines 20 - 22 of the specification. Therefore, in view of this amendment, the rejection of claims 1 - 4 in view of Branca is no longer appropriate and should be withdrawn.

Claims 1 - 4 were also rejected under 35 U.S.C. §102(b) as being anticipated by, or in the alternative, under 35 U.S.C. §103(a) as obvious over Leck (US Patent No. 6,248,435). The Examiner asserts that Leck discloses a melt-fabricable blend of two different PTFE's. The reference says only that "the fluoropolymer component of the coating is melt fabricable fluoropolymer, either blended with PTFE, or in place thereof (col. 6, lines 47 - 49). There is no disclosure that when the melt fabricable fluoropolymer is blended with PTFE, the resulting blend is melt fabricable. Of course if the melt fabricable fluoropolymer is used in place of PTFE, there is no blend. PFA as well as FEP is disclosed as a component but with no

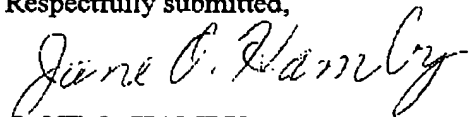
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information on comonomer content. A broad range of viscosity is disclosed: 1×10^2 to 400×10^3 Pa.s. This is equivalent to a melt flow range of 0.13 to 530 g/10 min. (The conversion can be found in U.S. Pat. No. 4,599,386 col. 4, lines 26-28.) Thus, Leck cannot be said to teach the copolymer of the present invention with its comonomer content and melt flow rate limitations. Leck is making an aqueous dispersion that is coated on a substrate and baked. This branch of the fluoropolymer art is not analogous at all to that of melt processible fluoropolymers. For these reasons, the rejection of claims 1 - 4 under 35 U.S.C. §102(b) as being anticipated by, or in the alternative, under 35 U.S.C. §103(a) as obvious over Leck (US Patent No. 6,248,435) is improper and should be withdrawn.

In view of the foregoing, allowance of the above-referenced application is respectfully requested.

Respectfully submitted,



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